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Attorney's Docket No. <u>021238-466</u>

## N THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kent B. Koller et al.

Application No.: 09/868,069

Filed: January 28, 2002

For: FILTER FOR SELECTIVE REMOVAL OF A GASEOUS COMPONENT

MAIL STOP: 313(c)

Group Art Unit: 1754

Examiner: M. M. Sanabria

Confirmation No.: 5441

## PETITION UNDER 37 C.F.R. §1.313(c)(2) TO WITHDRAW APPLICATION FROM ISSUE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Further to the Notice of Allowance dated May 19, 2004, the issue fee being paid on August 17, 2004, Applicants petition that this application be withdrawn from issue, and that the Request for Continued Examination and Information Disclosure Statement filed herewith be entered. Consideration of the Request for Continued Examination in compliance with §1.114 and Information Disclosure Statement is respectfully requested in view of the references cited in an Official Action issued in a European counterpart application.

The Director is hereby authorized to charge the fee of \$130.00 due under 37 C.F.R. §1.17(h), as well as any other appropriate fees under 37 C.F.R. §\$1.16, 1.17, 1.20(d) and 1.21 that may be required by this submission, and to credit any overpayment to Deposit Account No. 02-4800.

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In the event any questions arise regarding this communication or the application in general, please contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 1, 2004

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